

Measure HR 1701  
Amendment No. 113

Agreed To?	YES	No	Wdm
Voice Vte	Yeas	Nays	

**Amendment Offered by Ms. Waters****To the Amendment in the Nature of a Substitute Offered by Mr. Jones of North Carolina or Mr. Maloney of Connecticut**

Page 18, line 15, insert “**AND PRACTICES**” before the period at the end.

Page 18, line 16, insert ““(a) **PROHIBITED PROVISIONS.**—” before “A rental-purchase agreement”.

Page 20, after line 9, insert the following new subsection:

- 1 “(b) **PROHIBITED PRACTICES.**—A merchant under a
- 2 rental-purchase agreement with a consumer shall not—
- 3 “(1) threaten or invoke criminal prosecution of
- 4 a consumer for any matter related to the contract,
- 5 unless there is clear and convincing evidence that
- 6 the consumer is engaged in an effort to defraud the
- 7 seller;
- 8 “(2) use threats or coercion to collect or at-
- 9 tempt to collect any amounts alleged to be due from
- 10 the consumer;

1           “(3) engage in any conduct, the natural con-  
2           sequence of which is to oppress, harass, or abuse  
3           any person in connection with an attempt to collect  
4           amounts owed by the consumer under the contract;

5           “(4) unreasonably disclose information to third  
6           parties regarding amounts owed by the consumer;

7           “(5) make any fraudulent, deceptive, or mis-  
8           leading representation to obtain information about  
9           the consumer or to collect amounts owed by the con-  
10          sumer;

11          “(6) use any unconscionable means to collect or  
12          attempt to collect a debt owed to the seller;

13          “(7) advertise, announce, solicit, or otherwise  
14          represent as free or available without charge (includ-  
15          ing by use of other words of similar meaning) a  
16          service under the rental-purchase agreement for  
17          which the merchant charges the consumer, including  
18          any service for which an additional charge is col-  
19          lected by inclusion in the amount required to be paid  
20          under the agreement when such amounts exceeds  
21          that paid for like goods or services by other con-  
22          sumers in the ordinary course of business; or

23          “(8) engage in any unfair or deceptive act or  
24          practice in connection with any rental-purchase  
25          transaction, any rental-purchase agreement, any



[Unfair or deceptive acts or practices prohibited]

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- 1 business engaged in any such activity, or any adver-
- 2 tisement relating to any such transaction, agree-
- 3 ment, or business.

